

proceed to H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. VAN HOLLEN) is necessarily absent.

The yeas and nays resulted—yeas 84, nays 15, as follows:

[Rollcall Vote No. 472 Leg.]

#### YEAS—84

Baldwin	Hagerty	Peters
Barrasso	Hassan	Reed
Bennet	Heinrich	Risch
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Brown	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Cantwell	Inhofe	Sasse
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Scott (FL)
Casey	King	Scott (SC)
Cassidy	Klobuchar	Shaheen
Collins	Lankford	Shelby
Coons	Leahy	Sinema
Cornyn	Lee	Smith
Cortez Masto	Lujan	Stabenow
Cramer	Manchin	Tester
Crapo	Marshall	Thune
Daines	McConnell	Tillis
Duckworth	Menendez	Toomey
Durbin	Merkley	Tuberville
Ernst	Moran	Warner
Feinstein	Murkowski	Warkock
Fischer	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Ossoff	Wyden
Grassley	Padilla	Young

#### NAYS—15

Blackburn	Cruz	Paul
Booker	Hawley	Portman
Boozman	Kennedy	Sanders
Braun	Lummis	Sullivan
Cotton	Markey	Warren

#### NOT VOTING—1

Van Hollen

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 84, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

**AWARDING POSTHUMOUSLY A CONGRESSIONAL GOLD MEDAL, IN COMMEMORATION TO THE SERVICEMEMBERS WHO PERISHED IN AFGHANISTAN ON AUGUST 26, 2021, DURING THE EVACUATION OF CITIZENS OF THE UNITED STATES AND AFGHAN ALLIES AT HAMID KARZAI INTERNATIONAL AIRPORT**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5142, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5142) to award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5142) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. Mr. President, we just passed H.R. 5142, which awards the Congressional Gold Medal to 13 servicemembers. They are American heroes, and today the Senate will honor them as such.

Our Nation is forever indebted to these brave men and women and their families for their sacrifice that enabled the safe evacuation of more than 100,000 Americans and Afghan allies.

They risked their lives for our country, and their heroic efforts will not be forgotten.

#### NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

Mr. SCHUMER. Now, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 455, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 455) designating November 2021 as "National Hospice and Palliative Care Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 455) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MORNING BUSINESS

#### NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

*To the Secretary of the Senate:*

PN 1026, the nomination of Samuel R. Bagenstos, of Michigan, to be General Counsel of the Department of Health and Human Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 yeas to 14 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution."

#### REMEMBERING HUGH K. LEATHERMAN, SR.

Mr. GRAHAM. Mr. President, along with my fellow Senator from South Carolina, Mr. SCOTT, I rise today to honor the life of South Carolina State Senator Hugh K. Leatherman, Sr., who passed away, surrounded by his loving family, on November 12, 2021, at the age of 90.

Senator Leatherman was born on April 14, 1931, in Lincoln County, NC. He was raised on a farm and attended North Carolina State University, earning a degree in civil engineering in 1953. In 1955, he moved to South Carolina to start a concrete company, before starting his political career. His expansive political career began in 1967 after being elected to serve on the Quinby Town Council. During his term on the town council, he served as mayor pro tempore for the town of Quinby from 1971 to 1976. In 1980, Senator Leatherman ran for South Carolina State Senate and served the people of District 31, which includes Darlington and Florence Counties. On June 18, 2014, Senator Leatherman was elected president pro tempore. He also served as the chairman of the powerful senate finance committee, as well as a member of the ethics, interstate cooperation, rules, transportation and the labor, commerce and industry committees.

As a State senator, a position he held for more than 40 years, Senator Leatherman's dedication to the State could not be questioned. When it came to the needs of South Carolina, he was always at the forefront of getting things done. His statewide perspective led him to championing the Port of Charleston Harbor Deepening Project, as well as recruiting companies like Boeing, Honda, and Volvo to come to the State he loved so intensely. He will be remembered as having one of the most effective voices for his region and the State and was always looking towards what the State of South Carolina could become.

Senator Leatherman's devotion to his State and his constituency should be a model from which all public servants look to follow. We grieve his loss